

Message Text

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DRAFTED BY PATENT OFFICE/JJSHEEHAN:JB

APPROVED BY EB/CBA/BP - MR. WINTER

EB/CBA/BP - EJRankin

EUR/WE - WHMANGER

COMMERCE - JLightman

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FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE

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E.O. 11652, N/A

TAGS: EIND, NL

SUBJECT: INTERNATIONAL PATENT INSTITUTE, REQUEST FOR
INFORMATION.

1. THE U.S. PATENT OFFICE IS UNDERTAKING INTERNALLY
STUDIES ON THE PATENT COOPERATION TREATY AND WOULD LIKE TO
OBTAIN ASAP INFORMATION ON INTERNATIONAL PATENT INSTITUTE
(IIB) PRACTICES AND FEES FOR USE IN CONNECTION WITH THIS
STUDY. THE EMBASSY IS REQUESTED TO CONTACT THE IIB WITH
THE VIEW TO OBTAINING REPLIES TO THE QUESTIONS POSED IN THE
FOLLOWING PARAGRAPHS. PLEASE INFORM THE IIB THAT A SIMILAR
INQUIRY HAS BEEN SENT TO THE FEDERAL REPUBLIC OF GERMANY
PATENT OFFICE.

2. DOES THE IIB CONSIDER THE UNITY OF INVENTION QUESTION
WHEN MAKING A SEARCH? IF SO, WHAT FACTORS ARE CONSIDERED
IN DETERMINING WHETHER THERE IS UNITY OF INVENTION AND HOW
ARE FEES CALCULATED? WHAT ARE THE FEES FOR A SEARCH AT
THE IIB?:

1. FOR ONE INVENTION?
2. FOR ADDITIONAL INVENTIONS?

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A) RELATED (E.G., METHOD OF USING)

B) UNRELATED

3. WHAT IS THE IIB POLICY WHERE A BROAD PRODUCT CLAIM IS USED TO LINK THE PROCESS OF MANUFACTURING A PRODUCT AND THE USE OF THE PRODUCT, WHEN THE BROAD PRODUCT CLAIMED IS OBVIOUSLY UNPATENTABLE? CAN ADDITIONAL FEES BE CHARGED FOR SEARCHING MORE THAN ONE INVENTION?

4. WHAT IS THE IIB POLICY WHERE AN OBVIOUSLY BROAD UNPATENTABLE INDIVIDUAL CLAIM IS USED TO FUNCTION AS A GENERIC CLAIM TO LINK SEVERAL PATENTABLY DISTINCT SPECIES? CAN ADDITIONAL FEES BE CHARGED AT THE SEARCHING LEVEL FOR THE VARIOUS PATENTABLY DISTINCT SPECIES?

5. AS THE FOREGOING INFORMATION IS URGENTLY REQUESTED AN EARLY REPLY WOULD BE APPRECIATED. RUSH

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